



QP-3764  
41

Atty. Dkt. No.: PFIT-1-15689

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Habing et al.  
Title: EXERCISE MACHINE PRESS  
ARM  
Appl. No.: 09/602,198  
Filing Date: 22 June 2000  
Examiner: Victor K. Hwang  
Art Unit: 3764

<p><b>CERTIFICATE OF PRIORITY MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Priority Mail on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Terence P. O'Brien (Printed Name)</p> <p><i>Terence P. O'Brien</i> (Signature)</p> <p>December 2, 2004 (Date)</p>
---

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RECEIVED  
DEC 10 2004  
TECHNOLOGY CENTER R3700

**A. COMMENTS**

This communication is responsive to the Notice of Non-Compliant Amendment mailed on November 23, 2004. The Notice of Non-Compliant Amendment indicates that the Preliminary Amendment filed on November 4, 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In particular, because a complete listing of all of the claims (claims 1-31) is not present.

In the Preliminary Amendment filed on November 4, 2004, Applicants did not include the previously canceled claims 1-31. With this Response, Applicants respectfully submit a revised listing of all the claims including a reference or listing of

claims 1-31. In accordance with 37 CFR § 1.121(c)(1), the listing of claims indicates that claims 1-31 are canceled and does not list the text of the claims.

A complete listing of the pending claims from the Preliminary Amendment filed on November 4, 2004, including a reference to claims 1-31, is provided below in a revised Section B. Claims 32, 46, 52, 57, 60 and 67 are shown as currently amended as also indicated in the Preliminary Amendment of November 4, 2004.